

**UNITED STATES OF AMERICA
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION**

**DONNA UHL, PERSONAL REPRESENTATIVE OF
THE ESTATE OF LYNN UHL AND DONNA UHL,
INDIVIDUALLY,**

The Honorable David M. Lawson

Docket Number: 04-CV10148BC

PLAINTIFF,

**PACIFIC EMPLOYER'S INSURANCE
COMPANY,**

INTERVENING PLAINTIFF,

VS.

**KOMATSU FORKLIFT CO. LTD., A FOREIGN
CORPORATION, AND KOMATSU FORKLIFT
U.S.A., INC.,**

DEFENDANTS.

**SKINNER PROFESSIONAL LAW CORPORATION
DAVID R. SKINNER (P20551)
STACI M. RICHARDS (P64566)
ATTORNEYS FOR PLAINTIFF
101 FIRST STREET-SUITE 105
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**FRED J. FRESARD (P43694)
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50 W. BIG BEAVER RD., STE 600
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(248) 687-5300**

**JOHNSON & JOHNSON, P.C.
ROY W. JOHNSON (P39134)
ATTORNEYS FOR INTERVENING PLAINTIFF
755 W. BIG BEAVER ROAD, STE. 516
TROY, MICHIGAN 48084-4903
(248) 362-0070**

JUDGMENT

Plaintiffs and Intervening Plaintiff pursuant to the arbitration agreement, paragraph 30, attach the arbitrators' decision and file with this Court for Entry (Exhibit A).

Dated: September 16, 2006

s/ David R. Skinner (P20551)
Attorney for Plaintiff
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s/ Roy W. Johnson (39134) w/Permission
Attorney for Intervening Plaintiff
Johnson & Johnson, PC
755 W. Big Beaver Road, Ste 516
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(248) 362-0070

CERTIFICATE OF SERVICE

I hereby certify that on September 16, 2006, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system, which will send notification of such filing to the following:

On: Fred J. Fresard
fred.fresard@det.bowmanandbrooke.com

Jeffrey T. Gorcyca
jeffrey.gorcyca@bowmanandbrooke.com

David J. Gentile
david.gentile@det.bowmanandbrooke.com

and I hereby certify that I have mailed by United States Postal Service the paper to the following non-ECF participants:

On: Roy W. Johnson
Johnson & Johnson
755 W. Big Beaver Road, Suite 516
Troy, MI 48084-4903

s/Angela Van Nostrand
Case Manager for David R. Skinner (P20551)
Skinner Professional Law Corporation
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(989) 893-5547
dave@skinnerlex.com, angela@skinnerlex.com

09/12/2006 12:22 FAX 248 352 1312

LEVINE BENJAMIN

001/003

September 12, 2006

Via Facsimile at (989) 893-5549

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Suite 600
Troy, MI 48084

Re: Uhl vs. Komatsu Forklift Co. Ltd., et al

Gentlemen:

Attached please find the Decision of the Arbitration Panel.

Very truly yours,

/ns/
Martin E. Stein

/ns/
James Martin

/ns/
Graham Ward

Enclosure

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

DONNA UHL, Personal Representative
Of the Estate of LYNN UHL, and DONNA
UHL, individually,

Plaintiffs,

-vs-

No: 04-CV10148BC
Hon. David M. Lawson

KOMATSU FORKLIFT CO. LTD., a foreign
Corporation, and KOMATSU FORKLIFT U.S.A.,
INC.,

Defendants.

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ARBITRATION AWARD

It is the decision of this arbitration panel, by way of a two to one decision, that an award is rendered in favor of the plaintiffs, Donna Uhl, Personal Representative of the Estate of Lynn Uhl, and Donna Uhl, individually, and Pacific Employer's Insurance Company and against the defendants, Komatsu Forklift Co. LTD and Komatsu Forklift

09/12/2006 12:22 FAX 248 352 1312

LEVINE BENJAMIN

003/003

U.S.A., Inc., in the amount of One Million Nine Hundred Thousand (\$1,900,000.00)

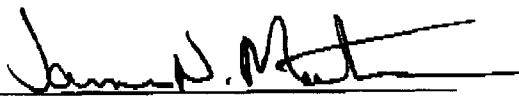
dollars.



Martin Stein



Graham Ward



James Martin